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Claims 1-10 are pending in the application. Applicant amends claims 1-4 for clarification. No new matter has been added.

Claims 1-10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,628,632 to Dolan. Applicant amends claims 1-4 in a good faith effort to clarify the invention as distinguished from the cited reference, and respectfully traverses the rejection.

Dolan describes a technique for permitting direct handoff between base stations that realizes handovers by handing over, between the base stations, signaling addresses and identifiers of the base stations. The handovers described in Dolan only include, however, hard and soft handovers. Namely, Dolan describes using signaling addresses only when a hard or soft handover is initiated, even when the signaling address is assigned as a TCP/IP address. And traffic signal of a wireless terminal is switched from a primary base station to a secondary base station when a handover is completed—point G illustrated in Fig. 3 of Dolan. Indeed, the cited portions of Dolan merely describe a CPU-to-CPU connection between base stations for performing a handover, and do not disclose the diversity handover features of the claimed invention, including the features involving whether a local station is “a particular radio base station which is to maintain the radio channel...” Nor do the cited portions of Dolan disclose a forwarded signal—from another radio base station forming a wireless zone adjacent to a wireless zone formed by a local station—arriving at the radio base station from the terminal via the radio channel, and forming a composite wave, which is delivered to the network, with the signal from the terminal.

Thus, Dolan, as cited and relied upon by the Examiner, does not disclose,

“[a] radio base station apparatus comprising:

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a receiving section for receiving a signal from a terminal via a radio channel assigned to the terminal by each IP layer;
an identifying section for identifying a particular radio base station which is to maintain the radio channel between the radio base station apparatus and the terminal during a process of a diversity handover for the terminal;
a network interface section for delivering the signal to a network when a local station is not the particular radio base station; and
an inter-office interface section for delivering to the network a composite wave of the signal and a signal that is forwarded from a radio base station forming a wireless zone adjacent to a wireless zone formed by the local station, when the local station is the particular radio base station, the forwarded signal having arrived at the radio base station from the terminal via the radio channel," as recited in claim 1. (Emphasis added)

Advantageously, the claimed invention provides for a diversity handover that allows selection-combining signals received from mobile stations with connected calls via plural radio base stations. A diversity handover further allows maintaining high transmission (communication) quality by distributing duplicated selection-combined signals to the base stations.

Accordingly, Applicant respectfully submits that claim 1, together with claim 5 dependent therefrom, is patentable over Dolan for at least the above-stated reasons. Claims 2-4 incorporate features that correspond to those of claim 1 cited above, and are, therefore, together with claims 6-8 dependent therefrom, respectively, patentable over Dolan for at least the same reasons.

With respect to claims 9-10, the cited portions of Dolan, again, merely describe a handoff from a primary base station to a secondary base station. Such portions of Dolan, therefore, do not disclose the claimed features of a base station controller performing channel control in cooperation with a base station forming a wireless zone where a terminal can visit, and

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determining a particular radio base station to maintain a radio channel during a diversity handover.

In other words, Dolan, as cited and relied upon by the Examiner, does not disclose,

“[a] base station controller comprising:
a channel controlling section for performing a channel control over a terminal in cooperation with a radio base station forming a wireless zone where the terminal can visit, and for determining a particular radio base station according to the channel control and all or part of configuration of the wireless zone, channel allocation, and frequency allocation, the particular radio base station being to maintain a radio channel assigned to the terminal during a process of a diversity handover for the terminal;
and

a network interface section for interfacing with a network under the channel control, the network being a network in which a communication channel is to be formed between said base station controller and the terminal via the radio base station,” as recited in claim 9. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 9, together with claim 10 dependent therefrom, is patentable over Dolan for at least the above-stated reasons.

The above statements on the disclosure in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicant appreciates the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider

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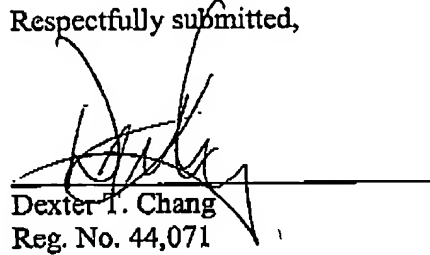
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this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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